

# Order

Michigan Supreme Court  
Lansing, Michigan

May 17, 2011

ADM File No. 2009-29

Amendment of  
Rule 5.208 of the  
Michigan Court Rules

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Robert P. Young, Jr.,  
Chief Justice

Michael F. Cavanagh  
Marilyn Kelly  
Stephen J. Markman  
Diane M. Hathaway  
Mary Beth Kelly  
Brian K. Zahra,  
Justices

On order of the Court, notice of the proposed changes and an opportunity for comment in writing and at a public hearing having been provided, and consideration having been given to the comments received, the following amendment of Rule 5.208 of the Michigan Court Rules is adopted, effective September 1, 2011.

[The present language is amended as indicated below by underlining for new text and strikeover for text that has been deleted.]

## Rule 5.208 Notice to Creditors, Presentment of Claims

(A) Publication of Notice to Creditors; Contents. Unless the notice has already been given, the personal representative must publish, and a special personal representative may publish, in a newspaper, as defined by MCR 2.106(F), in a county in which a resident decedent was domiciled or in which the proceeding as to a nonresident was initiated, a notice to creditors as provided in MCL 700.3801. The notice must include:

- (1) The name, and, if known, ~~last known address,~~ the date of death, and date of birth of the decedent;
- (2) The name and address of the personal representative;
- (3) The name and address of the court where proceedings are filed; and
- (4) A statement that claims will be forever barred unless presented to the personal representative, or to both the court and the personal representative within 4 months after the publication of the notice.

(B)–(F) [Unchanged.]

Staff Comment: The amendment of MCR 5.208 removes the requirement to list a decedent's last known address on the Notice to Creditors form.

The staff comment is not an authoritative construction by the Court.



I, Corbin R. Davis, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

May 17, 2011

*Corbin R. Davis*

Clerk